

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Long <i>et al.</i>	Confirmation No.: 1890
Appl. No.:	10/576,943	Group Art Unit: 1636
Filed:	December 1, 2006	
For:	USE OF ANTAGONIST ANTI-CD40 ANTIBODIES FOR TREATMENT OF AUTOIMMUNE AND INFLAMMATORY DISEASES	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

In reviewing the Filing Receipt for the above-referenced application, Applicants note that errors appear as noted on the enclosed copy of the Filing Receipt. Specifically:

- 1) the second inventor's last name "Lugman" should read as -- **Luqman** --; and
- 2) in the title, "Anti-Cd40" should read as -- **Anti-CD40** --.

Further, in the section entitled "Domestic Priority data as claimed by applicant," in lines 3 and 4 of the recorded priority data, an asterisk (\*) appears immediately following the filing dates 11/26/2003 (line 3) and 04/27/2004 (line 4), with a further comment provided on line 5, stating "(\*) Data provided by applicant is not consistent with PTO records." However, Applicants respectfully submit that this priority data is correct in view of the following documents attached hereto:

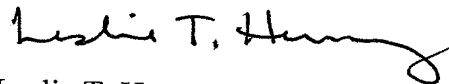
- (A) a copy of the PCT Notification Concerning Submission or Transmittal of Priority Document for corresponding PCT/US04/036957, acknowledging receipt from the U.S. Patent and Trademark Office of the U.S. priority documents having the identical Application Nos. and filing dates as listed on lines 3 and 4 of the priority data recorded on the official Filing Receipt;

- (B) a copy of page 2 of the Declaration by the inventors for the above-referenced application, filed with the Response to Notification of Missing Requirements on December 1, 2006, showing the inventors' claim for priority to the identical Application Nos. and filing dates as listed on lines 3 and 4 of the priority data recorded on the official Filing Receipt; and
- (C) a copy of page 4 of the Application Data Sheet for the above-referenced application, filed at national-phase entry on April 21, 2006, showing a claim for priority to the identical Application Nos. and filing dates as listed on lines 3 and 4 of the priority data recorded on the official Filing Receipt.

Accordingly, Applicants respectfully submit that the data provided by Applicants is consistent with the PTO records. Should the Patent Office disagree, Applicants respectfully request clarification as to what data within these two lines is not consistent with PTO records.

In summary, Applicants request that a Corrected Filing Receipt addressing the errors in items 1) and 2) above be issued, and that the Corrected Filing Receipt reflect the deletion of the asterisk (\*) immediately following the filing dates listed on lines 3 and 4 of the priority data and the deletion of the comment "(\*) Data provided by applicant is not consistent with PTO records."

Respectfully submitted,



Leslie T. Henry  
Registration No. 45,714

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

LEGAL02/30508310v1

*ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC  
FILING SYSTEM OF THE UNITED STATES PATENT AND  
TRADEMARK OFFICE ON AUGUST 31, 2007.*


**ALSTON & BIRD LLP**  
 UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 27 2007

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

LH

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	RECEIVED BY	ATTY DOCKET NO.	TOT CLMS	IND CLMS
10/576,943	12/01/2006	1636	1680		035784/309941	19	5

CONFIRMATION NO. 1890

## FILING RECEIPT



\*OC000000025507731\*

826

 ALSTON & BIRD LLP  
 BANK OF AMERICA PLAZA  
 101 SOUTH TRYON STREET, SUITE 4000  
 CHARLOTTE, NC 28280-4000

Date Mailed: 08/24/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

 Li Long, Emeryville, CA;  
 Mohammad ~~Lugman~~, Danville, CA; *Lugman*  
 Asha Yabannavar, Lafayette, CA;  
 Isabel Zaror, Emeryville, CA;

**Power of Attorney:** The patent practitioners associated with Customer Number 00826.

## Domestic Priority data as claimed by applicant

 This application is a 371 of PCT/US04/36957 11/04/2004  
 which claims benefit of 60/517,337 11/04/2003  
 and claims benefit of 60/525,579 11/26/2003 \*  
 and claims benefit of 60/565,710 04/27/2004 \*

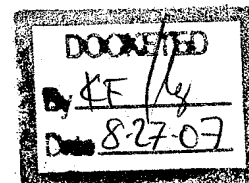
(\*)Data provided by applicant is not consistent with PTO records.

## Foreign Applications

If Required, Foreign Filing License Granted: 08/22/2007

 The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/576,943**

Projected Publication Date: 11/29/2007



Non-Publication Request: No

Early Publication Request: No

Title

CD40  
Use of Antagonist Anti-CD40 Antibodies for Treatment of Autoimmune and Inflammatory Diseases and Organ Transplant Rejection

Preliminary Class

435

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

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PATENT COOPERATION TREATY

PCT/US04/036957

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING  
SUBMISSION OR TRANSMITTAL  
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

To:

ALEXANDER, Lisa, E.  
Chiron Corporation  
Intellectual Property Department  
P.O. Box 8097  
Emeryville, CA 94662-8097  
ETATS-UNIS D'AMERIQUE

COPY

Date of mailing (day/month/year) 03 March 2005 (03.03.2005)	
Applicant's or agent's file reference PP23725.001	IMPORTANT NOTIFICATION
International application No. PCT/US04/036957	International filing date (day/month/year) 04 November 2004 (04.11.2004)
International publication date (day/month/year)	Priority date (day/month/year) 04 November 2003 (04.11.2003)
Applicant CHIRON CORPORATION et al	

- By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
- (If applicable) The letters "NR" appearing in the right-hand column denote a priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
- (If applicable) An asterisk (\*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b) (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as the priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
04 November 2003 (04.11.2003)	60/517,337	US	02 February 2005 (02.02.2005)
26 November 2003 (26.11.2003)	60/525,579	US	02 February 2005 (02.02.2005)
27 April 2004 (27.04.2004)	60/565,710	US	02 February 2005 (02.02.2005)

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Bellour Veronique

Facsimile No. +41 22 740 14 35

Facsimile No. +41 22 338 87 40  
Telephone No. +41 22 338 8602

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Application  
Serial No.

Filing Date

Status  
Patented, Pending, Abandoned

60/517,337	4 November 2003
60/525,579	26 November 2003
60/565,710	27 April 2004

Abandoned
Abandoned
Abandoned

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Li Long

Inventor's signature Li Long Date 7/5/06

Residence 124 Jade Ct., Hercules, CA 94547

Citizenship Canada

Post Office Address 4560 Horton Street, Emeryville, California 94608

Full name of second inventor Mohammad Lucman

Inventor's signature ML Date July 05, 06

Residence Danville, CA

Citizenship USA

Post Office Address 4560 Horton Street, Emeryville, California 94608

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**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/US2004/036957	11/04/04

**Foreign Priority Information**

Country::	Application Number::	Filing Date::	Priority Claimed::
US	60/517,337	11/4/03	YES
US	60/525,579	11/26/03	YES
US	60/565,710	4/27/04	YES

**Assignee Information**

Assignee name::	Chiron Corporation
Street of mailing address::	4560 Horton Street
City of mailing address::	Emeryville
State or Province of mailing address::	CA
Country of mailing address::	US
Postal or Zip Code of mailing address::	94608-2916

RTA01/2203821v1